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Sixty-fifth year

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Tuesday, 7 September 2010, 3 p.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Ebner
	Bosnia and Herzegovina	Mr. Vukašinović
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	France	Mr. Araud
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Heller
	Nigeria	Mr. Adamu
	Russian Federation	Mr. Kravchenko
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation concerning the Democratic Republic of the Congo

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President: I should like to inform the Council that I have received a letter from the representative of the Democratic Republic of the Congo, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ileka (Democratic Republic of the Congo) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Khare to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict.

There being no objection, it is so decided.

I invite Ms. Wallström to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear briefings by Mr. Atul Khare and Ms. Margot Wallström.

I now give the floor to Mr. Khare.

Mr. Khare: Thank you, Mr. President, for the opportunity to brief the Council on the chain of events surrounding the recent incidents of mass rapes in North Kivu and the cases of rapes in South Kivu. The map on the screen shows the area in question.

As the Council is aware, I visited the Democratic Republic of the Congo, on the instructions of the Secretary-General, from 28 August to 2 September. Apart from Kinshasa, I travelled to North Kivu, notably to Goma and Walikale and to Lubonga and Luvingi where the systematic rapes had occurred, and to Kirumba, where three Indian peacekeepers were killed on 18 August. In South Kivu, I travelled to Bukavu and to Uvira, where cases of rapes have also been reported.

During the visit, I met with Government officials, including the Minister for Foreign Affairs, Mr. Alexis Thambwe; the National Security Adviser, Mr. Pierre Lumbi; and the Governor of South Kivu, Mr. Marcellin Cishambo. I also met with several senior operational officers of the Forces armées de la République démocratique du Congo (FARDC): General Dieudonne Amuli, commanding general of Operation Amani Leo; General Pacifique Masunzu, commanding general of the South Kivu military region; Colonel Delphin Kahimbi, commander of Operation Amani Leo in South Kivu; and Lieutenant Colonel Bernard Byamungu, commander of the Uvira military region in South Kivu.

I had the opportunity to interact with civil society groups in Kinshasa and Kirumba, as well as in the villages where rapes were perpetrated, both in North Kivu and South Kivu. In all these meetings, Special Representative of the Secretary-General Roger Meece accompanied me as we sought out together, both internally and with our partners, the details surrounding the outrageous and utterly condemnable systematic and mass rapes in the Kibua area, and thereby sought to identify our shortcomings.

After outlining the details surrounding the mass rapes in North Kivu and the cases in South Kivu, I will present certain actions that the United Nations Organization Stabilization Mission in the Democratic

Republic of the Congo (MONUSCO) has already initiated and some that the Mission envisages initiating, as well as certain proposals for consideration by the Council. I will provide information on additional cases of rape in Uvira, Movinga and Shabunda, in South Kivu, as well as in Mubi and Pinga in North Kivu, which have been recently reported to us.

The Forces Démocratiques de Libération du Rwanda (FDLR) still retains a strong and active presence in the Kibua area. On 25 July, the FARDC — that is, national army — units deployed in the area of Kibua were redeployed to Walikale. Five days later, on 30 July, the Office for the Coordination of Humanitarian Affairs (OCHA) office in the area received unconfirmed information about possible attacks by FDLR in Mpofi. However, the MONUSCO company operational base in Walikale could not confirm this information. Information, again, unconfirmed, indicated that Mai-Mai Cheka allegedly intended to block off the Walikale-Goma and Walikale-Bukavu roads, which members see on the map, to halt the movement of minerals. An unconfirmed case of rape in Mpofi was also reported on 30 July. The same day, the security officer of the United Nations Department of Safety and Security (UNDSS) in Walikale sent an advisory by SMS to OCHA in the Democratic Republic of the Congo, security officers of the World Food Programme and the Office of the United Nations High Commissioner for Refugees (UNHCR), focal points of the United Nations Development Programme (UNDP) and United Nations Office for Project Services and MONUSCO security officers in Goma, stating that the area of Mpofi, on the Masisi-Walikale axis, had passed under the control of FDLR and that UNDSS recommended the suspension of movements in that zone. The same message was transmitted to humanitarian workers and non-governmental organizations by the OCHA office in Goma.

On 31 July, we learned that, in an encounter near Mpofi, the FARDC had killed eight FDLR combatants and seriously wounded another. The chef de groupement of Kibua contacted the FARDC and the MONUSCO company operating base in Kibua on that day to inform them about attacks and looting but did not mention any rapes at that stage. A subsequent patrol conducted by the Kibua company operating base established that two shops, including a medicine shop, had been looted in the Lubonga area and that there was no movement of civilians on the road between Walikale-Mpofi-Kibua-Goma, perhaps because of the fear of the presence of armed groups. Increased movement of FDLR cadres was observed between Mpofi and Ruwenge, 22 kilometres north-west of Kibua, and between Mpofi and Lubonga, 13 kilometres west of Kibua.

The next day, 2 August, was a market day in Kibua, where, as an innovative practice for civilian protection, the company operating base in Kibua provides market patrols, which includes escorting villagers who assemble at Ishunga to Kibua. Nevertheless, a forenoon patrol to Lubonga and Luvingi on 2 August did not result in reporting of any rapes to our peacekeepers. The patrol also interacted with Lieutenant Colonel Mukale of the 2112 battalion of the FARDC at Mpofi, as well as with the villagers of Bunyampuri. The patrol was accompanied by an interpreter. However, none of the villagers told the patrol that there had been cases of rape. The patrol on 2 August also arrested a Mai-Mai cadre between Lubonga and Luvingi.

The first report of 15 rape victims who sought medical attention at the International Medical Corps (IMC) supported health centre was received on 5 August. The perpetrators had disappeared into the surrounding forests long before that time. Obviously, until that time the perpetrators had been in either the villages or the surrounding areas, and the victims had not been able to report their suffering or even to seek medical attention. This was confirmed by the villagers in Luvingi, which recorded the largest number of rapes: over 103, as reported to me when I visited them.

The initial figure of 15 rose to 47 on 9 August, and to 68 on 13 August. As this horror unfolded, MONUSCO deployed a joint protection team on the Mpofi-Kibua axis to assess the security situation of the villages along the axis, verify the allegations of recent attacks, mass rapes and lootings and evaluate the protection needs of the local population.

A human rights investigation team was also deployed from 25 August to 2 September, and interviewed victims and witnesses in each of the 13 villages in the area. The investigation's report is being finalized and will be made public in the coming days.

Assistance to victims, particularly medical and psychosocial assistance, is being provided by IMC and Heal Africa, with some transport assistance by MONUSCO.

It is now clear that at least 242 persons, including 28 minors, were systematically raped in 13 villages in that area between 30 July and 2 August. The inhabitants of Luvingi, which recorded the largest number of rapes — over 103 — told me that the perpetrators of the attack, mass rapes and looting arrived in their village on 30 July. A Mai-Mai Cheka leader, the so-called Colonel Mayele, and the so-called Colonel Sarafim of the FDLR claimed that they had come to protect Luvingi, had decided to participate in the reintegration process and only wanted to rest in the village. The Mai-Mai Checka hail from the Walikale territory and had visited the village often before. Many villagers ran away on seeing the FDLR, but returned when they learned that the FDLR had decided to integrate with the FARDC. That this was a trap became evident only later, as the horror and suffering unfolded. The inhabitants of Luvingi also confirmed to me that the rape victims sought medical attention only after they were certain that the perpetrators had left the area, because severe punishments were inflicted on people who tried to escape.

While the primary responsibility for protection of civilians lies with the State, its national army and police force, clearly we too have failed. Our actions were not adequate, resulting in unacceptable brutalization of the population of the villages in the area. We must do better.

Let me briefly reflect on the main conditions of the area before outlining the actions that would, I hope, improve our response. In North Kivu, the Walikale-to-Pinga road is an important transshipment route for minerals and other natural resources. However, this area, like others in the region, is not electrified and the untarred road is quite broken and difficult to traverse. In the absence of long-term income-generation projects, many male villagers in the area stay away from their families for periods of two to four weeks, undertaking artisanal mining.

The journey from Kibua to Luvingi takes around one and a half hours each way, as I discovered during my visit. It would normally take the villagers some four to five hours to walk the distance in either direction. There is no mobile phone coverage, and even the high-frequency radio coverage is extremely patchy due to the mountainous and forested terrain. The armed groups often wear clothes that are identical to FARDC uniforms, and it is quite difficult for our peacekeepers — and even for the villagers — to distinguish the enemy from the friendly force.

The Kibua company operating base has one interpreter and one mobile satellite phone, thus operationally restricting it to one patrol at any given time, given the distances and conditions of the roads to be traversed. Finally, of course the number of peacekeepers in North Kivu remains quite small — 4,000 peacekeepers for an area of around 59,483 square kilometres.

Continuous efforts at improving relations with the community that we serve and better and institutionalized mechanisms of information-gathering are essential. It has been decided that more evening and night patrols should be undertaken. The Force Commander has further directed the company operating bases to undertake more random and spot-check patrols. It has also been decided that, within the next few weeks, a separate tactical doctrine that builds on the rules of engagement will be developed for the company operating bases and the temporary operating bases to provide our peacekeepers with the necessary guidance to explore deeper when reports of armed group movements are received from particularly high-threat areas — for example, an area that has been recently cleared of armed groups by the FARDC and where reprisal attacks on the civilian population might take place.

A standardized list of questions to be asked during patrols will also be instituted in our effort to ensure that the patrols can and will probe even deeper when interacting with the communities. This doctrine would also cover the response expected from the company operating bases in specific protection situations, building on the guidelines produced within the civilian substantive sections.

The Foreign Minister of the Democratic Republic of the Congo, Mr. Alexis Thambwe Mwamba, remarked to me that victims of rapes are victimized twice — first by the perpetrators and secondly by their communities. It is therefore no surprise that immediate reports of rapes are unlikely to come forward. Therefore, reports of looting and the presence of armed groups in vulnerable areas that had been recently

cleared of their presence would constitute indicators that sexual violence may have occurred even though no reports of rapes are received.

Due to the terrain, the region does not have mobile phone coverage. Active consideration is being given by MONUSCO as to how radio communications can be improved in areas where civilian protection is a particular concern, despite the huge logistical challenges related to this exercise. To this end, efforts are under way to immediately and rapidly install a high-frequency repeater in Luvingi, to be financed within existing resources. However, I wish to take this opportunity to inform the Council that mobile phone coverage does not exist in the area of operations of 27 company operating bases or temporary operating bases out of the total of 77 such forward deployments of MONUSCO forces. The Mission would swiftly evaluate the technical and financial aspects of installing similar high-frequency repeaters in the remaining 27 company operating bases or temporary operating bases without mobile coverage and would report to the Council and to the financial bodies. I would strongly recommend that the Council encourage such high-frequency installations as a matter of priority for better and timely contact between the communities and the forward bases.

Mobile phone coverage available for the other 50 company or temporary operating bases would also be utilized more effectively. MONUSCO is actively engaged with the main private telecommunication providers in the Democratic Republic of the Congo with a view to replicating in these company operating bases, the surveillance centre concept successfully tested in Kiwanja, North Kivu. Closed user groups will be obtained from commercial mobile service providers to allow unlimited calls within a limited number of users to report imminent threats or attacks. I will provide further details to Security Council members and troop-contributing countries in closed meetings so that the information will not be available to the FDLR and other groups.

On 1 September, during my stay, MONUSCO launched Operation Shop Window, a force projection operation for area domination aimed at protecting civilians in the region of Pinga, Kibua and Walikale in North Kivu. The operation is also aimed at providing security cover to the efforts of the relevant authorities to apprehend the perpetrators. Shop Window is carried out by some 750 peacekeepers, supported by attack and observation helicopters, as well as operational bases already deployed in the area of operations. The operational headquarters is based in Kibua.

The initial reports of the operation are positive, with 27 FDLR cadres with 12 automatic rifles and ammunition surrendering at Pinga on the first day, and three FDLR cadres, with firearms, being apprehended on the second day in Luvingi. The operations, which were launched for a period of a week, until 6 September, have been extended in the area until 10 September, and may be further extended after due evaluation.

It is essential that the perpetrators of this heinous crime be swiftly apprehended and brought to justice. Rapid and exemplary punishment would deter others who might repeat similar criminal acts. MONUSCO will make all efforts, including a more aggressive posture of peacekeepers, force multipliers such as Radio Okapi, and information-gathering on these people and the like to assist the efforts of the Government of the Democratic Republic of the Congo in this direction.

I would like to report that the Government of the Democratic Republic of the Congo has already constituted a commission to bring the perpetrators to justice. The commission is composed of an operational military prosecutor, a military magistrate, two judicial inspectors and special police for the protection of women and children. However, reports indicate that, until yesterday, no decision had been taken on the commission's date of departure for Walikale, despite the willingness of various partners to support the project, including MONUSCO, UNDP and the American Bar Association, among others. I would strongly urge the Government of the Democratic Republic of the Congo to take advantage of the assistance that the United Nations can offer the commission. In addition, I would like to recommend, for consideration by the Council, the imposition of targeted sanctions on the leaders of this group — including those within and outside the country — if a chain of command is proven.

More sustained and rigorous efforts need to be made by the Government and the international community to implement the five priorities of the 23 March 2009 Peace Agreements. A number of those demobilized have returned to their former armed groups, thereby discouraging others from seeking the

path of demobilization. Furthermore, in the absence of long-term community reintegration projects, those who return disillusioned are likely to prove more recalcitrant and perhaps more virulent in their actions.

The international security and stabilization strategy remains the main framework for supporting the Government's stabilization and reconstruction plan for war-affected areas. A key objective of that plan is to develop the State's capacity to provide security and enforce the law. Thirty projects are currently being implemented by United Nations agencies, funds and programmes, for a total value of around $190 million. But only one of the plan's programmes is being run in Walikale, as the region is still not considered safe enough to commence the stabilization programme.

Nevertheless, efforts need to be made to channel more projects aimed ultimately at supporting the stabilization of Walikale and other such remote areas, focusing on road access, the reintegration of ex-combatants and the extension of State authority. The lack of State presence on the ground is directly related to the lack of State capacity. Financial constraints, coupled with the lack of a corresponding execution capability of the State, remain a major challenge. In the meantime, the United Nations country team has developed additional programmes, including the expansion of reintegration programmes for ex-combatants, the expansion of road networks and reinforcement of State capacity in the rule of law and local governance. I would appeal to the Government of the Democratic Republic of Congo and to international stakeholders to make the implementation of these projects a priority.

Before I provide a brief update on rapes that occurred in other parts of the country, permit me to express my regret for the delay in providing information to the Council in a timely manner. We have institutionalized mechanisms to speed up the process of information flow between field offices and mission headquarters, as well as between mission headquarters and the Secretariat. The Secretariat remains at the Council's disposal to provide a daily briefing on important developments in this Mission or others, either to the President of the Council or to the Council as a whole, as it may decide.

Let me now refer briefly to the rapes in Uvira and other regions of North and South Kivu. Ten women were raped by elements of the FARDC on 17 August in Katalukulu, in Fizi territory, in South Kivu. I visited the area, as requested during discussions in the Council, on 26 August. While the military prosecutor has opened an investigation, I hope that justice will be quick and exemplary. We have indicated clearly to the FARDC at all levels, from its generals to its lieutenant-colonels — whom I met — that as a national army it will be essential for the FARDC to maintain a much higher standard of discipline, good behaviour and conduct, and observance of human rights.

In North Kivu, on 17 August, there was an attack by a coalition of FDLR and Mai-Mai Cheka in Mubi, 36 kilometres north-west of Walikale on the Walikale-Kisangani axis, slightly on the other side of the road. Initial reports indicate that several houses were looted and 50 civilians were kidnapped to transport looted goods. Two FARDC soldiers died valiantly in that attack and seven civilians were injured. On 25 August, eight days later, the civilians were released; only after that did the reports of rapes start to surface. A MONUSCO joint protection team was deployed to the area on 30 August. The team learned that at least 40 rapes had been committed in that village. Furthermore, in the Pinga area, towards the north-east, in Chuho market, on the same day, 17 August, Mai-Mai Coalition des patriotes résistants congolais, along with the FDLR, carried out 13 rapes.

It appears that many rapes were also carried out in Shabunda and Mwenga, both in South Kivu, during July and August. We received reports on 26 August that in the village of Miki, 74 cases of sexual violence have been recorded in the past two months, including against 21 minors, girls aged between 7 and 15 years, as well as six men. In the nearby villages of Lubumba, Lusosa, Maheta and Masondjo around 395 houses were burned during the same period. An evaluation team is being dispatched by MONUSCO to Miki.

A few days before I was due to leave the Democratic Republic of Congo, on 31 August, we received information that in the territory of Shabunda, between 1 and 20 August, at least 130 cases of rape had been recorded across nearly 10 villages, including 40 cases in Bubila, 42 cases in Tchateka, 14 cases in Tshombi and 12 cases in Lumba. There are some reports, as yet unconfirmed, indicating that in the village of Kiluma all the women might have been systematically raped. Shabunda is not connected by road, and five of the most serious cases were evacuated

by MONUSCO helicopters to the nearest hospital, Panzi in Bukavu, on 1 September, as soon as we learned of this new challenge. The deployment of protection cluster teams led by UNHCR, using MONUSCO air assets, was also undertaken from 3 to 8 September, and a second visit is planned for 10 to 17 September.

I hope that the additional measures that I described earlier in this presentation, particularly the efforts to apprehend and punish the perpetrators, will assist in controlling this spike in violence, especially sexual violence, that we have observed in North and South Kivu during the past two months.

In order to ensure a comprehensive approach, the corrective measures I have just outlined will need to be complemented by other essential efforts, including maintaining the military pressure on the illegal armed groups; the implementation of non-military measures to address the FDLR issue; combating the illegal exploitation of natural resources, which is clearly driving the violence in the region; and establishing effective State authority in the conflict-affected areas. I must also stress that, considering the temporary nature of the presence and efforts of the Blue Helmets, the long-term solution to eradicating the increasing entrenchment of a culture of sexual violence in the Democratic Republic of the Congo lies in building the capacity of the country's security and rule of law institutions and, in particular, transforming the armed and police forces into protectors of the civilian population. And, indeed, that is also the key to the Democratic Republic of the Congo's long-term stability.

Allow me to conclude by making a brief but important reference to the ongoing United Nations-Government of Democratic Republic of the Congo joint assessment that will form the basis of the Security Council's decision regarding the next steps on MONUSCO's drawdown. The process has so far been completed in the eastern regions and is still pending for Katanga, Equateur and the West. The joint assessment has contributed to the building of a common understanding between the Government and MONUSCO of the remaining threats and security challenges, including the complex challenge of protecting the civilian population. A detailed update on progress in this important process will be provided in the next report of the Secretary-General, which is due in October. Nevertheless, the key point I would like to highlight is that the recent spike in violence has demonstrated the need for a cautious approach regarding the next steps in the reconfiguration of the Mission.

To conclude, I feel personally guilty over the people who have suffered this brutalization and I trust that we, all of us, will indeed do better next time.

The President: I thank Mr. Khare for his briefing.

I now give the floor to Ms. Wallström.

Ms. Wallström: I thank you, Sir, and members of the Security Council for this opportunity to brief the Council on this matter of grave concern to the international community and also to say something about the role of my Office. A senior member of my staff, Mr. Tonderai Chikuhwa, accompanied Mr. Khare on his mission to the affected villages in Walikale territory.

But I wish to begin, in complementing Mr. Khare's account, with the survivors. In Luvungi village, one of the women spoke of how they had been forced to live through something like never before. She recounted how armed men went from house to house breaking down the doors, and how people were prevented from escaping because the village had been surrounded. She described how armed men inserted their hands into women's genitals searching for gold. Many women were gang-raped by up to five or six men at a time.

The women of the eastern Democratic Republic of the Congo deserve better. They are the backbone of the country and the mainstay of its largely agricultural economy. Yet in 2010, the sad reality for many women in the eastern DRC is that they are tired. They are tired of wondering when their time will come to be robbed, tortured and raped. For them, there is no safe place. They are raped when harvesting crops, when going to market, when fetching water and firewood, when carrying their babies, and when in their homes at night among their loved ones. Rape does not end when the violence is over. Many survivors are permanently traumatized, unable to return to the fields to earn an income, resulting in increased poverty, isolation and despair. Women live in fear of men carrying guns, often clad in uniform. They cannot distinguish protector from tormentor.

If this is not an illustration of why sexual violence is an impediment to peace, stability and security, what is? Right now, as we meet here in this Chamber, thousands of women, children and families are trying to cope with the trauma of rape. A ripple of devastation emanates from each crime, bringing with it disease, depression and despair. There are Congolese women whose tragic experiences have led them to conclude that being gang-raped by many men is normal for a woman.

When I was in the Democratic Republic of the Congo in April, I stressed that the reputation of the country is being held hostage to the perception that it is the rape capital of the world. The only way to combat such a perception is through determined and visible actions by the Government of the Democratic Republic of the Congo to address impunity and strengthen the rule of law.

With regard to what must happen now, humanitarian actors are now struggling to provide essential health services to survivors. A recent inter-agency mission to Walikale confirmed that, of the 242 survivors who reached Lubongo Health Centre, most had received some medical treatment and psychosocial support. However, none had received post-exposure prophylaxis to protect her from HIV, primarily because they were unable to access care within 72 hours of the incident. Many of the rape victims have still not come forward to receive urgent medical treatment for fear that they are still unsafe or due to the risk of being ostracized by their communities because of the taint of rape, as we have already heard Mr. Khare recall. Indeed, rape is the only violation for which communities tend to stigmatize the victim rather than prosecute the perpetrator, and where victims feel shame.

What is particularly disturbing is that the attacks on Kibua were not an isolated incident but part of a broader pattern of widespread and systematic rape and pillage. I am deeply distressed by information that is now beginning to surface about the large numbers of rapes in other parts of North Kivu, as well as in South Kivu, as outlined in stark detail by Mr. Khare.

It is evident that rape is increasingly selected as the weapon of choice in the eastern Democratic Republic of the Congo, with numbers reaching endemic proportions. The sad reality is that incidents of rape have become so commonplace that they do not trigger our most urgent interventions.

We know that information on the rapes that occurred along the Kibua-Mpofi axis was slow to surface. Therefore, one of the critical lessons we must take from this tragedy is that the actual reporting of rape cases should not be viewed as a prerequisite for robust protection responses. We must be more keenly attuned to other indicators, including the movements of armed groups, their proximity to civilian centres, patterns of looting and pillage, their actions to block off access to certain areas, and the concerns of local women about the security situation. These should all now be considered to be signals that the population is at risk from exactions, attacks and, increasingly, sexual violence.

In Walikale, our information suggests that the rapes were part of a planned and organized attack. Women were rounded up and prevented from fleeing, indicating that sexual violence was explicitly used as a tactic of war and terror. I have previously stressed and continue to maintain that, where sexual violence is planned, it must also be viewed as preventable. Systematic responses to sexual violence have been elusive because, until recently, it was dismissed as an unavoidable consequence of war.

At this moment, we are all compelled to look in the mirror and face our collective responsibility for our inability to prevent the mass rapes in Kibua. The United Nations, for its part, cannot afford to shy away from confronting its shortcomings because such an examination, carried out in a spirit of transparency and accountability, must form the basis for improving our response in the future. Therefore, I welcome and support the concrete recommendations made by Mr. Khare in areas where we can and must improve. That includes our communication with local communities — particularly women — and our capacity to collect and analyse early warning information to trigger timely action.

Through resolution 1888 (2009), the Council has emphasized better monitoring and reporting on sexual violence as a basis for a more effective protection response. Drawing on lessons from the mechanism established to track grave violations against children affected by armed conflict, I will prioritize the establishment of systems for obtaining real-time and actionable information. It is, of course priority number

one to make sure that all the information, reporting and monitoring work well.

However, as we focus on improving the flow of information and data, we must confront squarely the fact that we were too slow to respond to existing information. We should examine the United Nations response, including that of our peacekeepers on the ground, not in a spirit of self-recrimination but with a determination and resolve to do better to protect civilians in what is undoubtedly one of the most complex, vast and volatile conflict zones in the world.

We must also bear in mind that if we expect our peacekeepers to perform more effectively, we have to ensure that they receive the training, knowledge and tools to do so. In that regard, I intend to work closely with the United Nations Development Fund for Women, the Department of Peacekeeping Operations and troop-contributing countries to roll out a new tool that my Office helped to launch in June this year, entitled "Addressing conflict-related sexual violence — An analytical inventory of peacekeeping practice". It contains a range of promising practices employed by peacekeepers to protect women and girls from conflict-related sexual violence. These ad hoc efforts need to be systematized and included in predeployment training as model scenarios that can help peacekeepers recognize and react to sexual violence by armed groups. This document provides, for the first time, a knowledge base to help peacekeepers translate their obligations to preventing sexual violence into actions. It gives examples of early warning systems, patrols tailored to women's mobility patterns, community liaison techniques and other tactics that illustrate a gradual shift from best intentions to best practice.

Turning to another point, the mass rapes in Kibua indicate a connection, as we have already heard, between the illicit exploitation of natural mineral resources, the continuing operations of illegal armed groups and the high levels of violence against civilians in general, and women in particular, in lucrative and strategic areas. We must examine this nexus more closely as one of the root causes of recent atrocities, and more broadly of the protracted conflict in the Democratic Republic of the Congo. I will continue my calls for Governments to enact due diligence measures to track the flow of conflict minerals.

I should also like to stress that the role of the United Nations in the Democratic Republic of the Congo is to support and not to supplant the Government as the primary protection and service provider. It is clear that deploying a well-trained, vetted and permanent Forces armées de la République démocratique du Congo and National Police presence that prioritizes the protection of civilians is critical in high-risk zones. I also urge the Government to reinforce its efforts to address impunity and strengthen the rule of law, particularly in the context of sexual violence. For our part, I reiterate the offer to deploy a team of experts on the rule of law, as called for by resolution 1888 (2009), to support the Government in that regard. My Office is in the process of constituting that team and I hope that we may soon agree on the timing and modalities for its deployment.

I have also been concerned that the intense focus on the response of the United Nations has deflected attention from the most critical element of all — pursuing and bringing to justice the perpetrators. As the spotlight falls on the United Nations and what we could have done differently, the perpetrators — those who committed or commissioned rape and pillage — seem to have escaped from the scene of the crime and slipped into the shadows. This challenges our collective credibility and undermines efforts to deter such atrocities in future.

As the Council has heard, we already have some names, such as Colonel Mayele, the Mai Mai Cheka Chief of Staff, and Colonel Serafim of the Forces démocratiques de liberation du Rwanda (FDLR), who was present on the scene. Cheka himself, as well as the political and military leadership of the FDLR, may ultimately bear command responsibility for crimes by their subordinates that they failed to prevent or punish. These names are a starting point and constitute leads and leverage by which we may also identify some of the other participants in and architects of the mass rapes in Kibua. I believe that we have a narrow window of opportunity before the trail goes cold and the attention of the international community and media turns to other crises, dissipating the pressure on these groups. My role is to ensure sustained international attention through public advocacy and direct political dialogue.

The Council has encouraged systematic United Nations engagement with armed groups that commit grave violations against children affected by conflict. This approach has yielded tangible results. In line with resolution 1820 (2008), I intend to pursue such

engagement with State and non-State actors alike to ensure that perpetrators of conflict-related sexual violence are held accountable and prevention measures put in place. In that regard, the Security Council has unique means at its disposal. This includes the black-listing of individuals and entities and the imposition of sanctions and other targeted measures, which add leverage in our dialogue. I therefore urge the Council to take such action, beginning with the commanders of the armed groups responsible for the atrocities committed in Kibua.

Furthermore, I believe that the Security Council is primed to take such action through its sanctions Committee for the Democratic Republic of the Congo. Resolutions 1857 (2008) and 1896 (2009), which specify the mandate of the sanctions Committee, establish a legal basis for the imposition of sanctions on individuals operating in the Democratic Republic of the Congo who commit sexual violence. I urge the Council to follow up on this provision by mandating the Democratic Republic of the Congo Sanctions Committee to gather all necessary information from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the Committee's Group of Experts, as well as from non-governmental organizations (NGOs) and other humanitarian actors who may have relevant information. My Office stands ready to facilitate such a process. The FDLR has time and again been responsible for grave human rights violations in the Democratic Republic of the Congo. I therefore urge Member States that have FDLR leaders residing in their countries to take legal action against them in line with resolution 1925 (2010).

On the ground in the Democratic Republic of the Congo, the United Nations, together with the Government, last year launched a comprehensive strategy on combating sexual violence in the country. The strategy has five pillars: combating impunity, prevention and protection, security sector reform, multisectoral assistance for survivors, and data collection and mapping. It is being supported and financed by donors through the Government's Stabilization and Reconstruction Plan for the eastern part of the country, and has created a platform for a coordinated, comprehensive response by all actors. We need to support and strengthen this coordination platform, reaching out particularly to NGOs that provide frontline services. Their critical role has once again been exemplified by the work of such organizations as the International Medical Corps and Heal Africa in response to the mass rapes in Kibua.

MONUSCO's sexual violence unit is charged with coordinating the implementation of the Strategy. We must ensure that it has adequate capacity to effectively perform this function. My role is to help mobilize resources for the full implementation of the Strategy, as well as to ensure strategic support from the United Nations Action Network that I chair.

Finally, we cannot turn back time for the victims of Kibua or for the countless other survivors of brutal acts of organized sexual violence. As we strive to help these survivors, we must do our utmost to ensure there are no more victims. These unconscionable acts must spur every one of us as protection duty-bearers to immediate and concerted action. This is our collective responsibility to the survivors and our collective signal to the perpetrators, who are watching and waiting to see how the world will react. Our policies of zero tolerance cannot be backed by a reality of zero consequences.

I intend to return to the Democratic Republic of the Congo by the end of September to engage with all stakeholders and, above all, to listen to the survivors.

The President: I thank Ms. Wallström for her briefing.

I now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Ileka (Democratic Republic of the Congo) (*spoke in French*): I will be brief. Allow me at the outset to express to you, Sir, my joy at seeing you preside over the Security Council this month. Indeed, you represent a country, Turkey, with which my country, the Democratic Republic of the Congo, enjoys very close relations marked by mutual respect and esteem.

I also thank you for having kindly agreed to convene this important meeting of the Security Council on the situation in the Democratic Republic of the Congo, in particular following the tragedy in Luvungi. You have thereby given me yet another opportunity to express my deep disgust over the mass rapes that took place there a month ago over the course of four days and nights, in full impunity. Those heinous acts, wielded as a weapon of war, are yet another chapter in

the unspeakable suffering of the men and women of the Congo over the course of more than a decade.

The Council has just heard an exhaustive briefing from Assistant Secretary-General Atul Khare. I should like to acknowledge its importance and to offer him my full appreciation. Similarly, I wish most sincerely to thank Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, for her important statement on the issue at hand. The briefings of the Assistant Secretary-General and the Special Representative, which the Council will shortly consider during its private consultations, should be followed up with solutions, proposals and specific action. Some delegations will be tempted to seek the easy way out by imposing a litany of sanctions that will have no impact in the reality of the deep equatorial forests and will be entirely ineffective and incapable of offering relief from the daily and now commonplace horror that our men and women have, as I have noted, experienced for more than a decade.

In the quest for appropriate solutions to these mass rapes, which we all regret and condemn, I shall begin by being politically incorrect. The criminals — at least, those of Congolese nationality — who committed these reprehensible acts are mostly young and themselves the products, and thus the victims, of a war that has gone on far too long and which we have endured for more then 15 years. This should give us food for thought with respect to the impact of the war on the young people of the Democratic Republic of the Congo.

Nevertheless, a crime is a crime, and in this case we need to take robust action against the criminals. I recall that my Government takes the issue of sexual violence most seriously. Sexual and gender-based violence are unspeakable and should be condemned wholeheartedly. They are a scourge that must be eradicated. A small number of the Mai-Mai bandits have been identified by the Congolese authorities and are currently incarcerated and awaiting trial. Similarly, I must inform the Council that the zero-tolerance policy followed by the Government will be tirelessly applied to the uncontrolled elements of the Forces armées de la République démocratique du Congo who are found guilty of rape.

But that is not enough. In our humble view, the Security Council and the Secretary-General would benefit by instructing the Special Representative for the Democratic Republic of the Congo and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to fully implement the relevant provisions of resolution 1925 (2010), and particularly its paragraphs 6 and sub-paragraphs (a), (c) to (f) and (h) of paragraph 12 under Chapter VII of the Charter in support of the Government's pursuit, arrest and trial of the perpetrators so that they can be held accountable for their acts.

It will be recalled that, since 2008, we have advocated more robust United Nations action, jointly with us, to put an end to the activities of these agents of death in our country. At that time, following the pressure brought to bear by a number of non-governmental organizations (NGOs) — particularly international NGOs — that was not possible. Today, those same NGOs are calling for an urgent public inquiry into the rapes. I say yes to such an inquiry. In any case, who could or would dare oppose such an inquiry? At the same time, however, I call for an end to a certain hypocrisy. Would such an inquiry put an end to these atrocities. I doubt that, and will speak out against this way of making the suffering and misery of my compatriots into bargaining chips.

I remain convinced that, had the Council deigned to give the United Nations Organization Mission in the Democratic Republic of the Congo sufficient personnel and equipment in 2008, two years ago, we would be much further along in the peace process today and in re-establishing the authority of the Government throughout the national territory. How many more rapes and other violations of human rights must we again condemn before we understand that we must pursue these terrorists and assassins resolutely if we are to promote a return to normalcy?

Other delegations will say that it is above all the responsibility of the Government of the Democratic Republic of the Congo to ensure security throughout its territory and to protect its civilians. That is true, but let us stop turning a blind eye. If we could do so by ourselves, we would not have needed MONUSCO or the whole international presence in our country. Similarly, if this Council believes that MONUSCO cannot help us in that respect, then its presence is totally useless and members will have to draw the clear conclusion that it must be withdrawn so that we can address our own demons, be they domestic or imported.

Lastly, some delegations will seek to attach blame for the dysfunctional prevention and response to the news of the mass rapes. As well noted by the Assistant Secretary-General, the area of North Kivu province is larger than that of many European countries. The province lacks those countries' infrastructure and services. The rugged terrain and lack of communications are an explanation, but not an excuse. The province also has the densest concentration of armed men in the country, but their total number is sorely inadequate to covering the areas of operations in comparison to the abilities of the armed forces of the European countries. Finally, the resources of the national police are truly pathetic. How can the police act in such conditions against assassins armed with war matériel. It is tantamount to mission impossible.

What can and should we do? While I appreciate the recommendations and ideas put forward by the Assistant Secretary-General and the Special Representative, I should also like to advance a limited number of options.

In the near term, we should provide medical assistance to the victims. Any assistance, wherever it may come from and whatever its nature, is welcome. In that regard, we wish sincerely to thank the United Nations agencies that have already provided substantial assistance.

Again in the near term, psychiatric and psychological treatment for victims is essential. Rapes having devastated several small villages around Luvungi and Walikale, it will also be vital to create space for dialogue that includes local chiefs, churches and community networks, with a view to preserving the fabric of the families of those villages as far as possible. Moreover, perpetrators must be pursued, apprehended and tried. The Government is already working to that end. For its part, MONUSCO also needs to do the same and to assist the Government, as I have said, under Chapter VII.

We need to train and equip national and local police in order to better ensure the protection of local people while the army seeks to restore public order. The Government has already made a request in that regard. To date, the response has been one of deafening silence.

Lastly, we need to support the national justice system. It should be in a position to fully play its role both in putting an end to impunity and in awarding the victims restorative justice. It is urgent and important to provide my country with sound national structures for the protection of human rights and an appropriate institutional framework under which criminals must answer for their acts.

In conclusion, I would like to recall that, in absolute terms, the Congolese people have by far paid the heaviest price for the breakdown in international peace and security, which has continued in the Great Lakes region for nearly two decades now. Millions of my sisters and brothers have been massacred. It is they, not the nationals of another country, who are the victims of sexual violence.

The horror goes on. Atrocities continue with little hope for justice. We ask the Council to have the courage and the political will to decide justly so that the Congolese people can at last believe in improved prospects, enabling them to envisage with much greater calm the future of a country and a region where greater peace, security, justice and prosperity will reign. For, ultimately, restoring genuine peace will put an end to those crimes that we all condemn.

The President: I thank the representative of the Democratic Republic of the Congo for his statement.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the course of the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 4.15 p.m.